

**United States Department of the Interior
Bureau of Land Management**

Environmental Assessment

**DOI-BLM-UT-0300-2015-0037-EA
Garfield County B-Roll Film Permit**

Location: Grand Staircase-Escalante National Monument

Applicant/Address: Garfield County Office of Tourism
PO Box 200
Panguitch, UT 84759

Grand Staircase-Escalante National Monument
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Garfield County Filming Project
DOI-BLM-UT-0300-2015-0034-EA

CHAPTER 1
INTRODUCTION AND NEED FOR THE PROPOSED ACTION

INTRODUCTION

Garfield County has filed an application for a commercial filming permit pursuant to 43 CFR 2920 on lands managed by the Bureau of Land Management (BLM) within the Grand Staircase-Escalante National Monument (GSENM). The applicant proposes minimum impact filming to capture B-Roll style landscape video for current and future Travel and Tourism promotional materials. Filming would occur at Devils Rock Garden and along Highway 12 at the Escalante River Bridge for two days, between June 15-17, 2015. See attached map for specific locations.

PURPOSE AND NEED FOR THE PROPOSED ACTION

The purpose of the proposed action is to provide Garfield County the opportunity to film landscapes uniquely found within Devils Rock Garden and along the Escalante River/Hwy 12 area of GSENM, while protecting the monument objects, Wilderness Study Area (WSA) values, and other monument resources within the area of activity.

The need for BLM action is to respond to Garfield County film permit on public lands managed by the BLM's Grand Staircase-Escalante National Monument. The Federal Land Policy and Management Act of 1976 (Public Law 94-579, as amended) (FLPMA) augmented by Public Law 106-206, authorizes the BLM to regulate commercial filming activities on Federal lands. Filming permits are issued under authority of Title 43 Code of Federal Regulations § 2920.

CONFORMANCE WITH BLM LAND USE PLAN(S)

LUP Name: GSENM Monument Management Plan (MMP) Date Approved: February 2000

The proposed action is in conformance with the Monument Management Plan because it is specifically provided for in the following LUP decisions:

FILM-1 (page 39): Filming may be approved in all zones if the activity complies with the zone requirements and Plan provisions. Permits for commercial filming will be required and the preparation of a project-level NEPA document (BLM Manual 2920) may be required.

GROUP-1 (page 39): There will be no limit on group size in the Frontcountry Zone.

GROUP-2 (page 39): Group size will be limited to 25 people in the Passage and Outback Zones.

GROUP-4 (page 39): In the Primitive Zone, group size will be limited to 12 people and 12 pack animals.

RELATIONSHIPS TO STATUTES, REGULATIONS AND OTHER PLANS

The proposed action is consistent with federal environmental laws and regulations, Executive Orders, and Department of Interior and GSENM policies, including the following:

Federal Lands Policy and Management Act (1976), \ Section 302 (b)

In managing the public lands, the Secretary shall, subject to this Act and other applicable law and under such terms and conditions as are consistent with such law, regulate, through easements, permits, leases, licenses, published rules, or other instruments as the Secretary deems appropriate, the use, occupancy, and development of the public lands, including, but not limited to, long-term leases to permit individuals to utilize public lands for habitation, cultivation, and the development of small trade or manufacturing concerns.

Proclamation for the Grand Staircase-Escalante National Monument (1996)

Title 43 Code of Federal Regulations § 2920

2920.0-3 Purpose. The purpose of the regulations in this part is to establish procedures for the orderly and timely processing of proposals for non-Federal use of the public lands. The procedural and informational requirements set by these regulations vary in relation to the nature of the anticipated use.

2920.0-3 Authority. Sections 302 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732, 1733, 1740) authorize the Secretary of the Interior to issue regulations providing for the use, occupancy, and development of the public lands through leases, permits, and easements.

BLM Manual 6330 – Management of BLM Wilderness Study Areas. Section 1.6.D.4

“Commercial filming may be permitted under 43 CFR 2920 if it is determined to meet the non-impairment standard or one of the exceptions.”

Environmental Assessment UT-USO-06-004 - *No-Impact Commercial Filming on BLM-Managed Lands in Utah within Wilderness Study Areas and the Grand Staircase-Escalante National Monument (September 2006).*

The action as proposed is in compliance with state laws, and local and county ordinances and plans, including the following:

Garfield County General Plan (1998, amended with Resource Plan 2007)

“Garfield County endorses management of the Monument pursuant to applicable legal authorities, as specific in the proclamation so long as BLM continues to follow

established procedures, and to use balanced multiple use management as the basis for managing Monument.”

Although permits to issue filming is not specifically addressed in the Garfield General Plan, BLM’s management of the Monument and the potential for economic development by BLM permits is mentioned multiple times in other areas, relating to natural resource industries. This action, as proposed, will bring economic benefit to the area businesses

Review of the Garfield County’s plan revealed that the Proposed Action and alternatives would not be in conflict.

CHAPTER 2 DESCRIPTION OF ALTERNATIVES

INTRODUCTION

This EA will analyze an Action alternative and a No Action Alternative. The No Action alternative is considered and analyzed to provide a baseline for comparison of the impacts of the proposed action.

PROPOSED ACTION

The BLM is proposing to authorize Garfield County to conduct two days filming within the GSENM. Garfield County has requested a one-time permit. Authorized areas would include Devils Rock Garden (ISA) and in the North Phipps Death Hollow ISA along the Escalante River at the Escalante River Bridge. A map identifying requested filming sites is attached to this document.

The authorization would extend for 3 days from June 15, 2015 and ending on June 17, 2015. Approximately 4 people would be on location utilizing hand held video cameras and would be at each location for approximately four hours. Based on the detailed description this operator would create approximately 15 visitor days annually.

The proposed action would allow Garfield County and/or their filming contractors to allow video footage to be filmed in WSA and ISA without the 30-day public review process outlined in Environmental Assessment UT-USO-06-004 *No-Impact Commercial Filming on BLM-Managed Lands in Utah within Wilderness Study Areas and the Grand Staircase-Escalante National Monument* (September 2006).

Garfield County will operate in accordance with established GSENM and BLM stipulations. Including a stipulation that the permittee is not authorized to disclose site specific locations on film or in writing unless authorized in the permit. Permittee may identify the location as Bureau of Land Management, Grand Staircase - Escalante National Monument. A copy of the stipulations is attached to this document as Appendix 2.

NO ACTION

The No Action Alternative would be to deny the filming application as proposed. With this alternative BLM would not approve the film permit and the applicant would not be allowed to film at Devils Rock Garden or along the Escalante River within WSA and ISA designated lands without a 30-day public review period.

CHAPTER 3 AFFECTED ENVIRONMENT

INTRODUCTION AND GENERAL SETTING

Impact analysis for this document incorporates by reference analysis found in Environmental Assessment UT-USO-06-004 *No-Impact Commercial Filming on BLM-Managed Lands in Utah within Wilderness Study Areas and the Grand Staircase-Escalante National Monument* (September 2006). A Minimum Impact Filming Checklist (see attached, Appendix 3) has been completed for the proposed action with a determination that the proposed impact is Minimum Impact Filming as defined in UT-USO-06-004.

The affected environment reviews Wilderness Study Areas and Recreation resources.

Wilderness Study Areas:

GSENM manages 1.9 million acres with the National Conservation Lands as established by Bureau of Land Management. Forty-eight percent of the Monument lands are designated as Wilderness Study Areas (WSA), Instant Study Areas (ISA) or Outstanding Natural Areas (ONA).

ISA's and ONA's predate BLM's Federal Lands Policy and Management Act (FLPMA) of 1976 which established BLM's authority to manage WSA's. Since FLPMA designation ISA's and ONA's are now managed under the policy established in *BLM Manual 6330 – Management of BLM Wilderness Study Areas*. The proposed action would include the Devils Rock Garden ISA and the North Phipps Death Hollow ISA.

All WSA, ISA, and ONA designations are monitored and managed to maintain wilderness characteristics so the lands are not impacted or impaired until they are designated as wilderness or released from WSA status by Congress.

Recreation:

The marketing of travel and tourism is a direct contributor to recreation visitation. The Escalante Canyons Special Recreation Management Area is the most visited region of the monument. From 2013 to 2014 visitation to GSENM increase 15% (Recreation Management Information System (RMIS)). In addition, the designation of State Route Highway 12 as an All American Highway has increased visitation to the region. State and County travel and Tourism marketing campaigns have increase awareness of southern Utah ultimately increasing visitation to the region.

Devils Rock Garden is a well-known destination location within GSENM administered lands. During 2014 the site received 24,667 visits from the general public. Although this area is

designated as an ISA this site is the second most visited destination within the Monument. The site is located along the popular Hole-in-the-Rock Road, a primary travel route to many destinations that include: Glen Canyon National Recreation Area, Dry Fork slot canyons, Hole-in-the-Rock historical site, Dance Hall Rock and Coyote Gulch to name a few. The site currently has a parking area, toilet, picnic sites and user created trails in and around the Hoodoo attractions. The ISA surrounds the parking and visitor facilities.

The North Phipps Death Hollow ISA is also a high visitation area within the monument. The proposed action specifies filming at the Escalante River Bridge/HWY12 area. The majority of visitation occurs in the Escalante River Gorge and along the Boulder Mail trail. During 2014, the visitation at the Escalante River trailhead was 1,856 visits. Although is number is comparatively lower than many other areas in the monument, the location is recognized a popular destination for recreational users.

CHAPTER 4 ENVIRONMENTAL IMPACTS

DIRECT AND INDIRECT IMPACTS

PROPOSED ACTION

This section analyzes the impacts of the proposed action to those potentially impacting resources described in the affected environment Chapter 3, above.

Wilderness Study Areas:

Devils Rock Garden ISA is managed under WSA guidelines and includes approximately 640 acres. The parking and main visitation area constitute approximately 20 acres. The Devils Rock Garden is popular destination, and the site currently has a parking area, toilet, picnic area and user created trails in and around the Hoodoo attractions. Outside of the 20 acres regularly used by the public, the remainder of the ISA sees little visitation by the general public. The physical act of filming is not expected to impact or impair the WSA based on the current uses that exist. In addition, the purpose for filming is not intended to market WSA visitation but to promote travel and tourism to the region. The direct impacts of marketing travel and tourism may increase visitation to the ISA, this affect a small portion of the ISA, but it not expected to impact or impair the wilderness charcterictics of the ISA.

The North Phipps Death Hollow ISA is also a high visitation area within the monument. The majority of visitation occurs in the Escalante River Gorge and along the Boulder Mail trail. The direct impact of filming in the WSA near the HWY12 bridge is not expected to impact or impair the wilderness characteristics of the ISA.

No indirect impacts were identified for either ISA areas.

Recreation:

Within the heavily visited Devils Rock Garden site, the main attractions are natural rock hoodoos and the facilities, encompassing about 20 total acres. The current developments include a parking area, toilet, and picnic area which support the current public uses. The

direct impacts of this action are that increasing visitation is evident in Garfield County as well as across the region. It is expected that visitation will increase in the county and the region bringing increased resource impacts to GSENM monument wide. The filming of these locations in itself are not expected to increase uses immediately, however, over the next five to ten years recreation use is expected to increase throughout the monument. One of the design features outlined in the filming stipulations includes a stipulation that site specific locations are not to be identified on film or in writing.

The filming of the area for marketing and promotional purposes will likely generate additional visitation to the site as well as the region which is the purpose of the proposed filming application. Devils Rock Garden is a highly requested use area for Special Recreation Permit holders as a unique attraction. In the last few years photography workshop have increased on the monument and Devils Rock Garden is popular with operators to photograph the unique Hoodoos with their clients. As a result, the site is easily found on an internet search.

No indirect impacts were identified for recreation.

NO ACTION

Wilderness Study Areas:

Under the no action alternative the proposed need for additional film footage would not be met. Visitation to Devils Rock Garden is expected to increase over the next five to ten years throughout the region. Denial of filming in the ISA will not in itself minimize ISA impacts or the increase in visitation. Under this alternative there would be no environmental impacts from the proposed action because it would be denied.

Recreation:

Under the no action alternative the proposed need for additional film footage would not be met. Visitation to Devils Rock Garden is expected to increase over the next five to ten years throughout the region. Denial of filming is not expected to decrease visitation. Under this alternative there would be no environmental impacts from the proposed action because it would be denied.

CUMULATIVE IMPACTS

Cumulative impacts are expected, however the proposed action of filming B-Roll video footage will not in itself create increased use on the monument. Marketing travel and tourism has been a very strong economical consideration for the state and county since the designation of Grand Staircase - Escalante National Monument. Over the next five to ten years, all of southern Utah will see increases in visitation from national and international visitors. The locations requested for filming will continue to see increase visitation with or without authorizing the proposed filming application.

CHAPTER 5
PERSONS, GROUPS, AND AGENCIES CONSULTED

List of Preparers

Table 5.1. List of Preparers

BLM Preparers

Name	Title	Responsible for the Following Section(s) of this Document
Jabe Beal	Outdoor Recreation Planner	Project Lead
Matt Betenson	Assistant Monument Manager, Planning Division	Environmental Review

APPENDICES

APPENDIX 1

INTERDISCIPLINARY TEAM CHECKLIST

The application was received less than 30-days prior to filming. Considering the limited time available and the nature of the filming request, an interdisciplinary team review was not conducted on this EA.

APPENDIX 2

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Grand Staircase-Escalante National Monument

669 South Hwy 89A

Kanab, UT 84741

<http://www.ut.blm.gov/monument>

GENERAL FILM PERMIT STIPULATIONS

GENERAL

1. Permittee is not authorized to disclose site specific locations on film or in writing unless authorized in the permit. Permittee may identify the location as Bureau of Land Management, Grand Staircase - Escalante National Monument.
2. All vehicles, including Jeeps, mountain bikes, and motorbikes, will remain on the designated roads and trails authorized by the BLM permits, and previously-existing road turnouts and parking areas. (Filming in conjunction with events authorized under a SRP Filming Permit.)
3. Motorized vehicles used in connection with the filming activities need to be power washed prior to entering the resource area to minimize the spread of invasive and noxious weeds.
4. The company will provide a portable toilet for use in the authorized remote locations.
5. A portable toilet is required for filming in locations for over 2 hours where a toilet is not readily available.
6. The company is required to have a monitor on location at all times when setting up and filming in the authorized BLM locations. BLM will either assign and in house monitor or contact BLM if you have a local monitor you have identified.
7. The company will provide the BLM Grand Staircase – Escalante National Monument with a current schedule for filming on the National System of Public Lands. The BLM contact person is Jabe Beal (435) 826-5601.
8. The company will have a copy of the BLM film permit at all times when filming in the BLM locations.
9. Prior to beginning filming activities, Permittee shall furnish filming crew members with a copy of the terms and conditions of this permit and explain the limitations imposed by such terms and conditions. A copy of the complete filming permit,

including its relevant map(s) and attachments, shall be made available on location during all filming activities.

10. All terms and conditions applicable to this permit apply to Permittee, his employees, contractors, and clients. Permittee is responsible for all actions of his employees, contractors, and/or clients on both public and non-public lands.
11. The BLM reserves the right to alter the terms and conditions of this permit at any time for reasons such as policy changes, administrative procedures changes, stipulation changes, impacts to resource values, user conflicts, etc. BLM also reserves the right to cancel this permit as it applies to any lands which Congress may formally designate as a wilderness area.
12. If at any time hereafter Permittee wishes to change or modify his operations from what has been authorized in this filming permit, the prior written approval of the BLM authorized officer must be obtained.
13. The final filming product will have written and/or verbal acknowledgment of filming location on the National System of Public Lands managed by the Bureau of Land Management, Grand Staircase – Escalante National Monument, Utah, if feasible.

SPECIFIC

Cultural Sites

1. All known archaeological sites will be avoided for all filming activities. All people on the filming location must be reminded that collection of cultural materials is illegal.
2. If any previously unrecorded prehistoric or historic archaeological sites are encountered, they would be recorded and evaluated and proper treatment would be determined in compliance with 36 CFR Part 800.11.

Dust Control

1. The company will water dust roads or trails, as needed during the day, and at the end of the filming day to control fugitive dust.

Fire Suppression

2. Fire suppression equipment will be on location at all times.

Helicopters

3. If authorized, helicopter landing zones must be in disturbed areas or existing roads and located away from parked vehicles and large enough to include a buffer.

4. Helicopter refueling is not permitted on BLM lands. It is recommended that refueling take place at Canyonlands Field Airport or the Green River Airport.

Horses and Livestock

1. Horses (cows) will be fed non-germinating pellets or certified weed-free hay for two days prior to filming on the National System of Public Lands. During filming, horses (cows) will be fed certified weed-free hay or non-germinating pellets.
2. Horse manure will be collected and removed from the dune and staging areas. (required in areas with heavy recreation use)
3. Horses that are not in use will not be picketed on public lands. Horses must be in trailers or tied to trailers and the vehicles must be parked on a road, in a parking area, or in a disturbed area.

Filming Petroglyphs

1. Petroglyphs are permanently damaged by touching, rubbing, and latex imprinting. This permit authorizes only the viewing of the panels. Filming of archeological sites is not authorized.
2. All crew members will adhere to general public regulations at cultural and sites.

Placement of Filming Equipment

1. The camera crew will set up the camera in locations that will not result in disturbance to soils or vegetation.
2. In each location where people will be off existing roads and trails, the company will establish one trail, between the vehicles and the camera or other equipment, to concentrate foot traffic.
3. A dolly track will be set up in such a way that disturbance to vegetation and soils is minimized in the set-up and in subsequent activities around the equipment. Preferred locations for the dolly track are on the edge of a road or trail, rock, or in previously-disturbed areas.
4. For the protection of soils and vegetation, no camera locations are authorized off the road unless these locations are on previously impacted soils, such as vehicle turnouts, or on rock outcrops (Onion Creek Road).

Traffic Control on Highways

1. Traffic control will be done by law enforcement officers unless other arrangements

are identified in the application process. Traffic stops are limited to 15 minutes.

2. The company will obtain an encroachment permit from the Department of Transportation to film on state highways. Please contact Kane and/or Garfield Counties Engineering Department.

Wilderness Study Areas

1. Permittee is responsible for knowing where wilderness study areas (WSAs) and other special management areas (i.e., Areas of Critical Environmental Concern, Wild and Scenic Rivers, closed off-road vehicle areas, etc.) are located, and abiding by the specific use restrictions that apply to such areas.

APPENDIX 3: Minimum Impact Filming Checklist

Filming Company: Garfield_County_Tourism_Office_____

Project: B_Roll_Filming_____

	YES*	NO
I. A. Will impact sensitive habitat or species		X
B. Will impact Native American sacred site		X
C. Involves major use of pyrotechnics		X
D. Involves more than minimum impacts to land, air, or water		X
E. Involves use of explosives		X
F. Involves use of exotic species with danger of introduction into the area		X
G. Involves adverse impact to sensitive surface resource values including:		X
1. Historical, cultural or paleontological site		
2. Sensitive soils		X
3. Relict environments		X
4. Wetlands or riparian areas		X
5. Areas of Critical Environmental Concern		X
H. Involves use of Heavy Equipment		X

* If "yes" was marked in any category, the action is not minimally-impacting.
If "yes" was not marked, go on to Part II.

	YES	NO*
II. A. 1. Location in BLM-Designated WSA	X	
2. Location in Wild & Scenic River corridor	X	
3. Location in Reinventory Unit with wilderness character		X
4. Location in National Register Site		X

* If "no" was marked for all 4 categories, the action is minimally-impacting.
If "yes" was marked for any category, go on to Part II B.

	YES*	NO
II. B. 1. Involves set construction		X
2. Involves significant restriction of public access		X
3. Involves significant use of domestic livestock		X
4. Use of aircraft (helicopter, fixed-wing, or hot air balloon) was determined to not be minimally impacting in part III A		X
5. Involves 15 or more production vehicles		X
6. Involves 75 or more people		X
7. The activity will continue in excess of 10 days		X

* If "yes" was marked in any one category, the action is not minimally-impacting.

	YES*	NO
III. A. 1. Use of aircraft (helicopter, fixed wing, hot air balloon) involves refueling within the sensitive area		X
2. Use of aircraft is proposed in an area with wildlife concerns during a critical period and a) is proposed for more than 1 day or		X
b) exceeds the frequency of 2 projects per 30-day period		X
3. Use of aircraft is proposed in an area with no wildlife concerns and		X
a) is proposed for more than 2 days or		X
b) exceeds the frequency of 3 projects per 30-day period		X
4. Use of aircraft is proposed within ½ mile of a designated campground located in a sensitive area and the number of low-elevation passes proposed exceeds 4 passes per day		X

* If "yes" was marked in any one category, the action is not minimally-impacting.

Project Area Map

Film Permit Application

June 2015



